

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** Michael Wayne Graham**Examiner:** S. Kaushal**Serial No:** 09/100,812**Art Unit:** 1633**Filed:** June 19, 1998**Docket:** 11535**For:** SYNTHETIC GENES AND GENETIC
CONSTRUCTS COMPRISING SAME I**Dated:** September 26, 2002Assistant Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231#26/E
Zita
9-27-02**PRELIMINARY AMENDMENT**

Sir:

In connection with the filing of the Continued Prosecution Application on March 12, 2002 and further to the Preliminary Amendment mailed on April 29, 2002, please kindly enter the following preliminary amendment in the above-identified case.



CERTIFICATE OF FACSIMILE TRANSMISSION

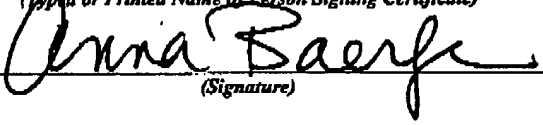
I hereby certify that this correspondence is being facsimile transmitted to the Assistant Commissioner for Patents, Washington, DC 20231.

Dated: September 26, 2002
Anna Baerga

H:\work\1510\11535\amend\11535.am4

E

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. 11535	
Applicant(s): Michael Wayne Graham					
Serial No. 09/100,812	Filing Date June 19, 1998	Examiner S. Kaushal		Group Art Unit 1636	
Invention: SYNTHETIC GENES AND GENETIC CONSTRUCTS COMPRISING SAME I					
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	104	58	46 x	\$18.00	\$828.00
INDEP. CLAIMS	7	38	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$828.00
<div style="margin-top: 20px;"><input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 19-1013 in the amount of \$828.00 A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</div>					
<div style="text-align: right;"> Signature</div>			Dated: September 26, 2002		
<div>Frank S. DiGiglio, Esq. Registration No. 31,346 Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343 FSD:XZ:bk</div>					
cc:					
<div style="border: 1px solid black; padding: 5px; margin-top: 20px;"><div style="text-align: center;"><input checked="" type="checkbox"/> I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</div><div style="text-align: center; margin-top: 10px;"> Signature of Person Mailing Correspondence</div><div style="text-align: center; margin-top: 10px;">_____ Typed or Printed Name of Person Mailing Correspondence</div></div>					

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 11535
Applicant(s): Michael Wayne Graham			
Serial No. 09/100,812	Filing Date June 19, 1998	Examiner S. Kaushal	Group Art Unit 1636
Invention: SYNTHETIC GENES AND GENETIC CONSTRUCTS COMPRISING SAME I			
<p>I hereby certify that this <u>Preliminary Amendment</u> <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 746-3124</u>)</p> <p>on <u>September 26, 2002</u> <small>(Date)</small></p> <div style="text-align: right; margin-top: 100px;"> <u>Anna Baerga</u> <small>(Typed or Printed Name of Person Signing Certificate)</small>  <small>(Signature)</small> </div>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: info@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER**

Fax

To: Examiner S. Kaushal
Art Unit: 1636

From: Frank S. DiGiglio, Esq.

Fax: (703) 746-3124

Pages: 43 (including cover)

Phone: (703) 305-6838

Date: September 26, 2002

Re: Michael Wayne Graham
U.S. Patent Appln. No. 09/100,812
Our Docket: 11535

CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments:**

Dear Examiner Kaushal:

1. Amendment Transmittal (in dup)
2. Preliminary Amendment
3. Version with Markings to Show Changes Made
4. Exhibits A and B
5. Certificate of Facsimile
6. Authorization to Charge Deposit Account 19-1013/SSMP for \$828.00

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Anna Baerga ext. 560.